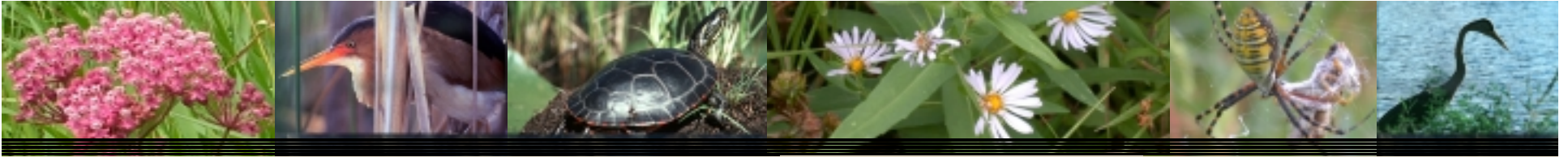


Wisconsin Wetland Compensatory Mitigation

November 18, 2005

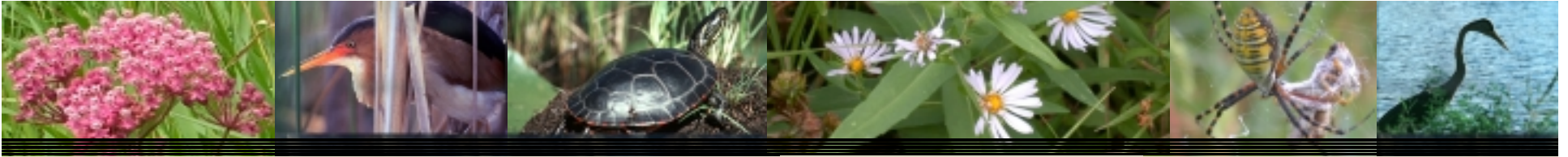


Conservation Easements



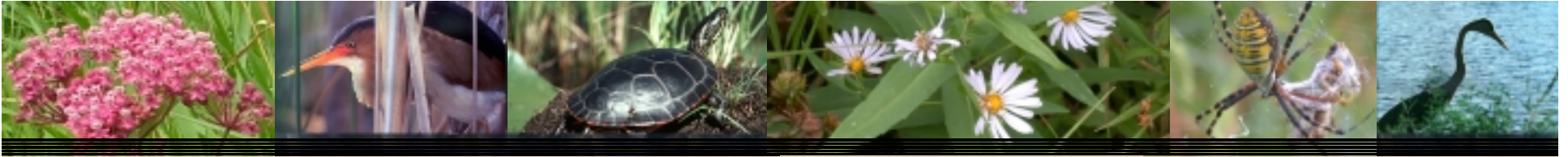
What is a conservation easement?

- Legal agreement between landowner & eligible organization
- Restricts future activities on the land to protect conservation values
- Real property conveyance



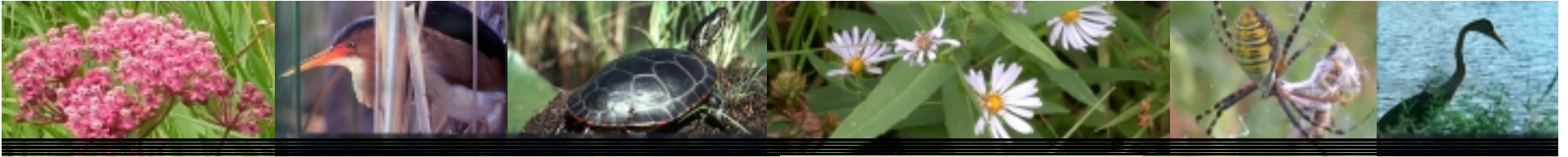
When is an easement required?

- On-site mitigation
- Off-site mitigation ($> \frac{1}{2}$ mile)
- Establishing a new mitigation bank



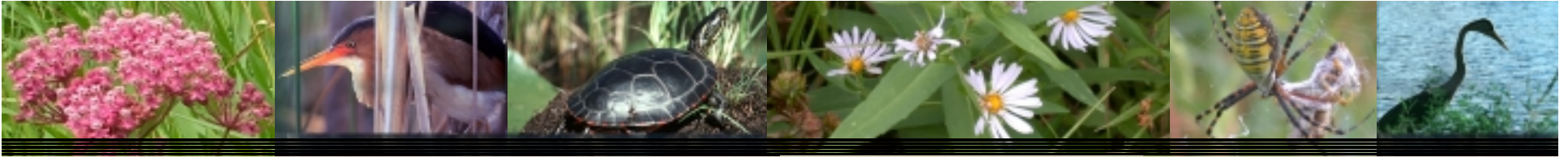
What's out on the website?

- Easement template
- Documents that must accompany easement include:
 - plat map
 - county map
 - copy of deed showing that applicant (the Grantor) is the title holder of the land easement will cover



Wetland Mitigation Easement template

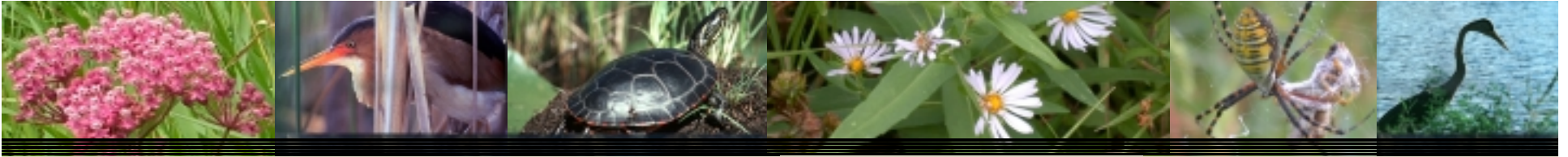
- Use template available out on the web
- Standardized language already approved by Department legal staff
- Any changes in the template should be underlined and sent to the Department for review & approval



Legal description & survey map

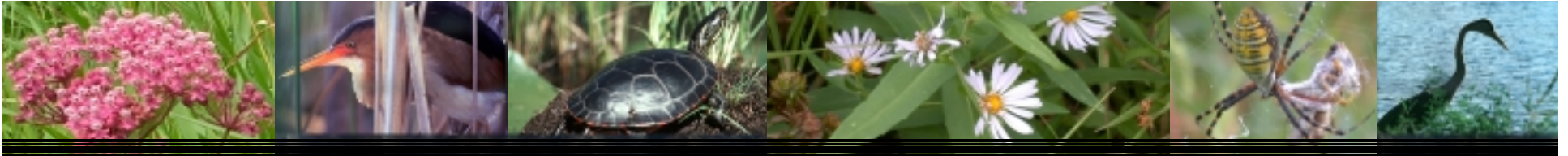
- Easement requires accurate legal description as Exhibit A --- need survey
- Survey includes legal description that includes acreage as Exhibit B

Note: this is due to complexity of area in question---typically these don't follow section lines or roads



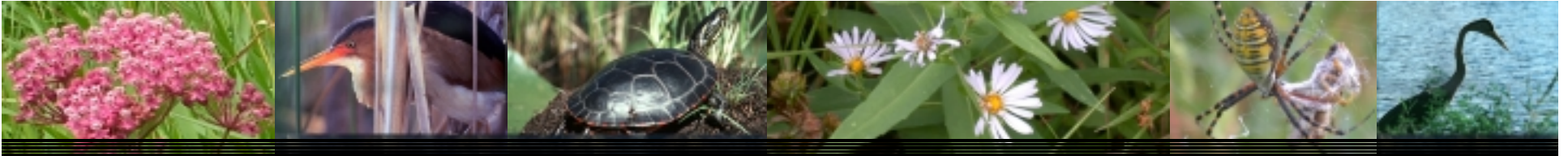
Wetland Mitigation Easement

- Purpose is to conserve & preserve in perpetuity a 'Conservancy Area' as identified by the legal description



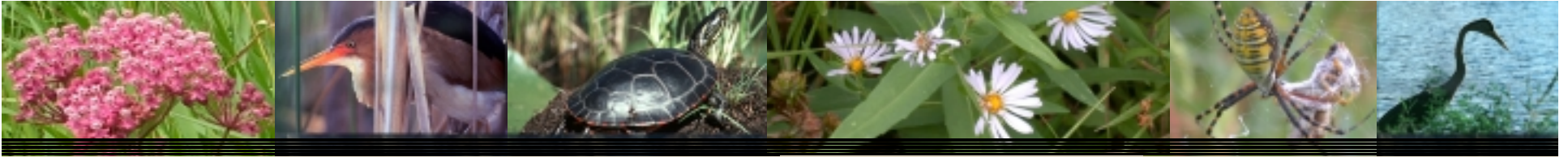
What rights are transferred to DNR

- Right to enter Conservancy Area to inspect & study
- Right to install, operate & maintain water control structures to protect or enhance wetlands
- Right to establish or reestablish vegetation through seedlings or planting



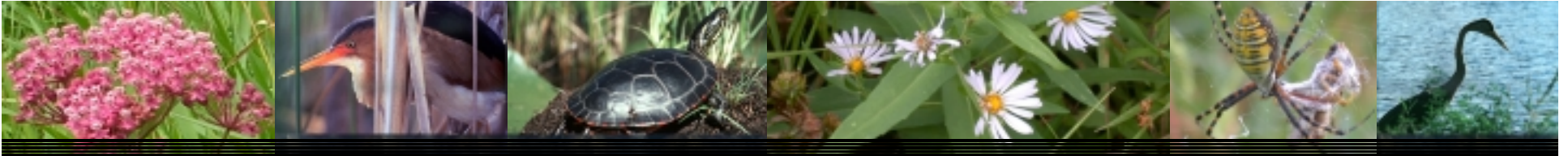
Within the Conservancy Area the owner is restricted from:

- Using the area for commercial use
- Placing buildings, signs etc on the area
- Dredging, filling, mining etc on the area
- Dumping materials on the area
- Altering hydrology of the area
- Using the area for agricultural purposes
- Operating motorized vehicles within the area



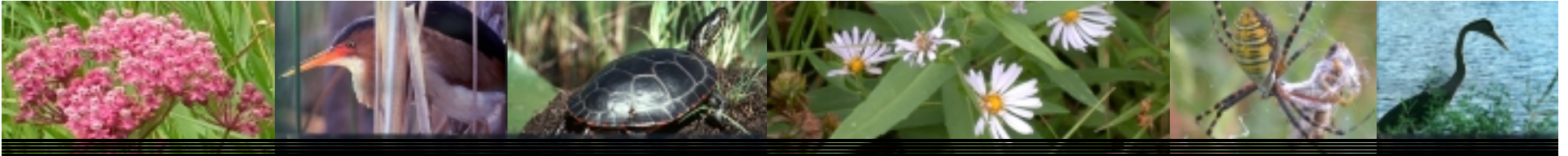
What to send in with easement

- Legal description & map based on survey
- Acreage of site
- Locator maps – both county & plat (see web site for DOT link)
- A copy of the deed showing that the applicant is the title holder to the land the easement will cover



Steps to follow in terms of submittal

- Send draft easement that includes legal description & site map with compensation site plan
- Wetland restoration ecologist will contact you once the above are approved
- Send in executed easement
- Department will sign easement once permit is issued then DNR will record the easement



Questions?
